

LIBER

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BILL NO. 77-70
AS AMENDED

COUNTY COUNCIL

OF

HARFORD COUNTY, MARYLAND

BILL NO. 77-70 (AS AMENDED)

Introduced by Council President Freeman,
Councilmen Rahl, Cooper, Schafer, and Spry

Legislative Day No. 77-22

Date: July 12, 1977

AN EMERGENCY ACT to add new Section 1-25.1, heading, Penalties for Failure to Respond to a Subpoena, Testify or Produce Evidence, OR AVOIDING SERVICE OF A SUBPOENA, to Chapter 1, heading, General Provisions, of the Harford County Code; to provide for penalties for the failure to respond to a subpoena, to testify, or to produce evidence as may be required by the County Council, its officers or employees OR FOR AVOIDING SERVICE OF A SUBPOENA ISSUED BY THE COUNTY COUNCIL, ITS OFFICERS OR EMPLOYEES.

By the Council, July 12, 1977

Introduced, read first time, ordered posted and public hearing scheduled on: August 9, 1977

at: 7:30 P.M.

By Order: Angela Markowski, Secretary

PUBLIC HEARING

Having been posted and Notice of time and place of hearing and Title of Bill having been published according to the Charter, a public hearing was held on August 9, 1977 and concluded on August 9, 1977.

Angela Markowski, Secretary

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1 Section 1. *Be It Enacted By The County Council of Harford County,*
2 *Maryland,* that new Section 1-25.1, heading, Penalties for
3 Failure to Respond to a Subpoena, Testify or Produce Evidence,
4 OR AVOIDING SERVICE OF A SUBPOENA, be, and it is hereby added
5 to Chapter 1, heading, General Provisions, of the Harford County
6 Code, all to read as follows:

7 CHAPTER 1. GENERAL PROVISIONS.

8 Section 1-25.1. Penalties for Failure to Respond to a Subpoena,
9 Testify or Produce Evidence OR AVOIDING SERVICE OF A SUBPOENA.

10 (a) It shall be unlawful for any person to:

11 (1) Fail to respond to a subpoena issued by the
12 County Council or an investigative body, officer, or person
13 established or employed by the County Council; or

14 (2) Fail to testify as may be required by the
15 County Council or an investigative body, officer or person
16 established or employed by the County Council; or

17 (3) Fail to produce other evidence as may be
18 required by the County Council or an investigative body, officer
19 or person established or employed by the County Council; except
20 as may be excused by law, OR

21 (4) AVOID BEING SERVED A SUBPOENA ISSUED BY THE
22 COUNTY COUNCIL OR AN INVESTIGATING BODY, OFFICER OR PERSON
23 ESTABLISHED OR EMPLOYED BY THE COUNTY COUNCIL.

24 (b) Any person convicted of a violation of Subsection
25 (a) above, shall be guilty of a misdemeanor and may be punished
26 by a fine not to exceed One Thousand Dollars (\$1,000), or
27 imprisonment not to exceed six (6) months; imprisonment up to
28 six (6) months may be imposed until the person purges themselves
29 of the contempt. Each day that a person shall fail to respond,
30 as required, shall be deemed a separate offense.

31 Section 2. *And Be It Further Enacted,* that if any section,
32 clause, phrase, word, provision or particular application of

1 this Act is for any reason held invalid or unconstitutional by
2 any court of competent jurisdiction, such section, clause,
3 phrase, word, provision or particular application shall be
4 deemed a separate, distinct and independent provision or
5 application and such holding shall not affect the validity of the
6 remaining provision or subsequent application thereof.

7 Section 3. *And Be It Further Enacted*, that this Act is hereby
8 declared to be an Emergency Act, necessary for the proper
9 exercise of the investigative duties and responsibilities of
10 the County Council as required by the Charter of Harford County,
11 Maryland, and shall take effect on the date it becomes law.

12 EFFECTIVE: September 8, 1977
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BY THE COUNCIL

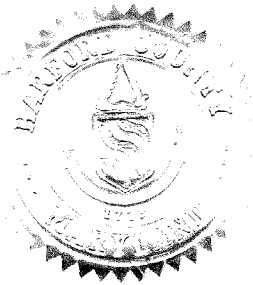
Read the third time.

Passed LSD 77-26 (August 16, 1977) (with amendments)~~XXXXXXXXXXXX~~

By order

Angela Markowski, Secretary

Sealed with the County Seal and presented to the County Executive
for his approval this 17th day of August, 1977
at 3:00 o'clock P.M.

Angela Markowski, Secretary

BY THE EXECUTIVE

APPROVED:

County ExecutiveDate

BY THE COUNCIL

This Bill, having received neither the approval nor the
disapproval of the Executive within twenty-one (21) days of its
presentation, becomes law on September 8, 1977.

Angela Markowski
Angela Markowski, Council Secretary

Rec'd for record 9/30/1977 at 2:45 P.M.
Same day recorded & examined, per
H. Douglas Chilcoat, Clerk

EFFECTIVE: September 8, 1977